

FILED
CHARLOTTE, N. C.

SEP 8 2000

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

U. S. DISTRICT COURT
W. DIST. OF N. C.

ELTRON INTERNATIONAL INC.,)
Plaintiff,)
v.) Civil Action No. 3:00 CV 447 MCK
MAGNACOLOR INC.,)
Defendant.)

COMPLAINT

Plaintiff, ELTRON INTERNATIONAL INC. ("Eltron"), complains of defendant, MAGNACOLOR INC. ("Magnacolor"), as follows:

1. This is an action for patent infringement under the Patent Act, 35 U.S.C.A. §271 et seq.
2. Eltron is a California corporation, having its principal place of business at 1001 Flynn Road, Camarillo, CA 93012-8706.
3. Upon information and belief, Magnacolor is a Connecticut corporation, having its principal place of business at 11020-J Bailey Road, Cornelius, North Carolina 28031.
4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a) and venue is proper under 28 U.S.C. §§ 1391(c), 1400(b).
5. United States patent no. 6,109,801, entitled "Ribbon Core and Spindle," was duly and legally issued on August 29, 2000.
6. Eltron is the owner of all right, title and interest in and to the '801 patent, including the right to recover for infringement thereof.

7. Upon information and belief, Magnacolor has imported, made, used and/or sold and continues to import, make, use and/or sell ribbons that infringe the '801 patent in this district and elsewhere in the U.S.

WHEREFORE, ELTRON PRAYS THAT:

- (a) A judgment be entered in favor of Eltron and against Magnacolor;
- (b) Magnacolor and its officers, agents, employees and all persons in active concert or participation with them, be preliminarily and permanently enjoined from infringement of the '801 patent;
- (c) Magnacolor be ordered to pay Eltron the damages that Eltron has incurred as a result of the acts complained of herein;
- (d) Eltron be awarded its lost profits as a result of the acts complained of herein;
- (e) Eltron be awarded interest, costs of this action, and its reasonable attorneys' fees as a result of the acts complained of herein; and
- (f) Eltron be awarded such other and further relief as may be just and proper

DEMAND FOR JURY TRIAL

Pursuant to F.R.Civ.Pro. 38(b), Eltron demands a trial by jury.

Dated this the 8 day of September, 2000.

Respectfully submitted,

SEYFARTH, SHAW

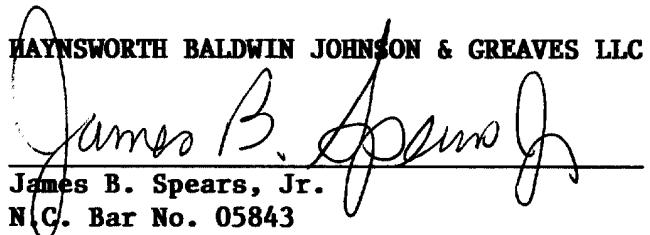
Harold V. Stotland



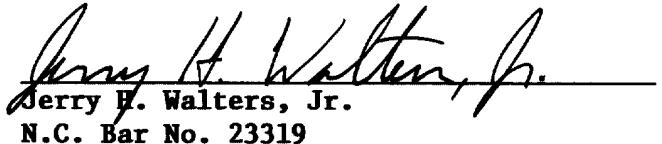
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